



Republic of the Philippines  
Department of Environment and Natural Resources  
**PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
**MIMAROPA Region**

APR 03 2023

**MEMORANDUM**

FOR : The Regional Executive Director  
MIMAROPA Region  
1515 DENR By the Bay Building, Roxas Blvd.  
Barangay 668, Ermita, Manila

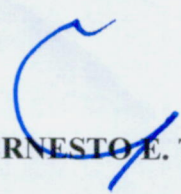
FROM : The OIC PENR Officer

SUBJECT : RESOLUTION NO. 2023-006

<b>DENR MIMAROPA RECORDS SECTION RECEIVED</b>	
<b>APR 28 2023</b>	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY: _____	DATE NO. _____
TIME: _____	

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated March 29, 2023 pertaining to the result of administrative adjudication on the apprehended thirty one (31) pieces of Rain Tree lumber with an aggregate volume of 217.67 board feet at So. Kintangan, Barangay Iriron, Calintaan, Occidental Mindoro.

For your information and record.

  
**ERNESTO E. TAÑADA**

Sitio Pag-asa, Barangay Payompon, Mamburao, Occidental Mindoro  
Email Address: penroccmindoro@denr.gov.ph



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**Community Environment and Natural Resources Office**





**RE: APPREHENSION OF THIRTY ONE (31) PCS. OF RAIN TREE (ACACIA) LUMBER WITH AN AGGREGATE VOLUME OF 217.67 BDFT. AT SO. KINTANGAN, BRGY. IRIRON, CALINTAAN, OCCIDENTAL MINDORO ON FEBRUARY 14, 2023.**

X-----X

**RESOLUTION No. 2023-006**

This pertains to the apprehension thirty one (31) pcs. of Rain Tree (Acacia) lumber with an aggregate volume of 217.67 bdft. at So. Kintangan, Brgy. Iriron, Calintaan, Occidental Mindoro by the Personnel of Enforcement and Monitoring Section (EMS) DENR- CENRO, San Jose, Occidental Mindoro.

**The facts of the subject case are as follows, to wit:**

1. That, on February 14, 2023 the staff/personnel of Enforcement and Monitoring Section (EMS) of this Office conducted a monitoring and surveillance accordingly in response to a report through a cellphone call from a confidential asset that there were a stockpiled of lumber believed to be illegally cut at the vicinity of Brgy. Iriron, Calintaan, Occidental Mindoro.
2. That, indeed the report was confirmed, the team apprehended the above-subject forest products and hauled to DENR Ranger Monitoring Station at Brgy. Murtha San Jose, Occidental Mindoro for safekeeping.
3. That, the corresponding Apprehension Receipt with CENRO Control No.2023-F476 was issued by the apprehending officer Forest Ranger Michael D. Dagdag and Forest Protection Officer Elmer L. Salongsongan.
4. That, the Seizure Order with CENRO Control Number 2023-F476 was issued by the Seizure Officer, Land Management Officer III Rhodora A. Garcia .
5. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on February 15, February 22 and March 1, 2023 at the conspicuous places at the Brgy. Hall of Barangay Iriron, Calintaan, Occidental Mindoro.
6. That, no Administrative hearing was made because there were no claimant of the said abandoned forest products even though a Pabatid sa Publiko has been posted on three (3) separate dates and at the conspicuous places of the area of concern.

**The issues to be resolved in this case are as follow;**

1. Whether or not thirty one (31) pcs. of Rain Tree (Acacia) lumber with an aggregate volume of 217.67 bdft will be confiscated in favor of the government.





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**The issues to be resolved in this case are as follow;**

1. Whether or not thirty one (31) pcs. of Rain Tree (Acacia) lumber with an aggregate volume of 217.67 bdft will be confiscated in favor of the government.



The grounds for apprehension and seizure of the forest products is valid, as the abandoned forest product is not supported with any cutting permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 otherwise Known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and republic Act No. 7161, states that;

**SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License.** – Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code

xxx

**SECTION 77-A. Administrative Authority of the Department Head or His Duly Authorized Representative to Order Confiscation.** – In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.

Xxx

Department Administrative Order No. 97-32

**Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.**

- a. **ILLEGAL FOREST PRODUCTS** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.

Xxx

2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended thirty one (31) pcs. of Rain Tree (Acacia) lumber with an aggregate volume of 217.67 bdfb shall be confiscated in favour of the government since those lumbers are product of an illegal act.




Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation.

**Wherefore**, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DENR Administrative Order 2022-10 ( Revised DENR Manual of Authorities for Technical Matters ) the following are hereby recommended:

1. The thirty one (31) pcs. of Rain Tree (Acacia) lumber with an aggregate volume of 217.67 bdft shall be confiscated in favour of the government since those lumber are products of an illegal act.

Issued this \_\_\_\_\_ day of **MAR 24 2023**, \_\_\_\_\_ at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:

  
**RHODORA A. GARCIA**

LMO III

Hearing Officer/ Seizure Officer



Noted By:

  
**EFREN L. DELOS REYES**  
CENR Officer 

Brgy. Labangan, San Jose, Occidental Mindoro  
Tel. Number (043) 457-0236 / (043) 742-6627  
Email: cenrosanjose@denr.gov.ph





Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**Community Environment and Natural Resources Office**

476

EMAIL FOR TRANSMISSION  
FEBRUARY 15, 2023

FOR: THE REGIONAL EXECUTIVE DIRECTOR  
DENR-MIMAROPA REGION

THRU: PENR OFFICER  
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

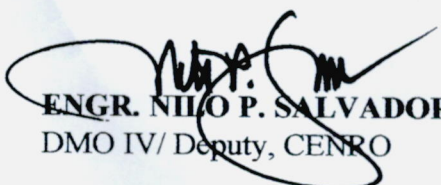
PLEASE BE INFORMED THAT PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE HAD APPREHENDED THIRTY ONE (31) PCS. RAIN TREE (ACACIA) LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 217.67 BDFT ON FEBRUARY 14, 2023 AT AROUND 6:23 IN THE EVENING AT SO. KINTANGAN CMA BRGY. IRIRON CMA CALINTAAAN CMA OCCIDENTAL MINDORO PD

BE FURTHER INFORMED THAT THE SAID FOREST PRODUCTS FOUND ABANDONED AND NO CLAIMANT APPEARED DURING THE TIME OF APPREHENSION PD SAID UNDOCUMENTD FORES PRODUCTS WAS BROUGHT TO MURTHA MONITORING STATION AT BRGY. MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR SAFEKEEPING PURPOSES PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

**ENGR. SALVADOR**

SENDER:

  
**ENGR. NILO P. SALVADOR**  
DMO IV/ Deputy, CENRO





GEOTAGGED PHOTOS OF APPREHENDED THIRTY ONE (31) PCS. RAIN TREE/ ACACIA LUMBERS AT  
SO. KINTANGAN, BRGY. IRIRON, CALINTAAN, OCCIDENTAL MINDORO





# ON-SITE APPREHENSION REPORT.

Date: Feb 14, 2023

FOR : The CENR Officer  
San Jose, Occidental Mindoro

THRU : The Chief, Enforcement and Monitoring Section

FROM : The Apprehending Officers

SUBJECT : APPREHENSION OF thirty one (31) pieces of rainforest with the total volume of two hundred seventy seven (277) Bags at So. Kantangan Brgy Iniron, Calintaan Occidental Mindoro

Sir:

Hereunder is a report on the apprehension made by the undersigned.

## 1. Place, Date and Time of Apprehension.

The Apprehension was undertaken at So. Kantangan Brgy Iniron Calintaan Occ. Mindoro on Feb. 14 2023 at 3:48 o'clock in the PM.

## 2. Name, Age, Address of the apprehended person/s

Name	Age/Birthday	Address	Marital Status
N/A	N/A	N/A	N/A

## 3. Name and Address of individual/officials who conducted, assisted and witnessed the apprehension

Name	Office/Position	Address
N/A	N/A	N/A

## 4. Circumstances that led to the apprehension (caught in the act during regular patrolling etc.)

\* Undocumented Lumber.



5. Quantities and description of items apprehended (see attached tally/inventory sheet and on-site report)

Quantities	Items	Description
31 pieces	Rain free	10 per 2x5x11
		21 per 2x3x12

6. Place, time and date of origin and intended destinations, consignors and consignee of items apprehended (if applicable).

N / A

7. Nature of Offence Cited.

Sec. 77 of PD 705

8. Remarks, other information, comments and recommendations.

Very truly yours,

MICHAEL D. DAGDAG

(Signature over name)

ELMER L. SALONGSONGAW

(Signature over name)



Republic of the Philippines  
Department of Environment and Natural Resources  
CENRO SAN JOSE  
Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.: 2023-F476
E-FMS No: 2023-17K110-F476

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 for the following Forest Products, Conveyances, Machinery/Equipment, Tool and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber				RAIN TREE	10	2x5x11 = 91.67	4,583.50		MURTHA MONITORING STATION
					21	2x3x12 = 126.0	6,300.0		
					31	217.67	10,883.50		

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A



Republic of the Philippines  
Department of Environment and Natural Resources  
CENRO SAN JOSE  
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2023-F476
E-FMS No: 2023-175110-F476

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 the following forest products are hereby ordered seized, to wit:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
lumber				Rain tree	10	2x5x11=91.67	4,583.50	Murtha Monitoring Station	LMO III Rhodora A. Garcia
					21	2x3x12=126.00	6,300.00		
Total					31	217.67	10,883.50		

Minor forest products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance Involved					
Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
N/A	N/A	N/A	N/A	N/A	N/A



Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	N/A

\*turned over to the highest officer of the Regional Office concerned if government-owned vehicle.

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

The subject Forest Products and other items were apprehended while under the possession/ control/ownership of.

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

2. The subject Forest Products and other items have undergone the following Seizure proceedings

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Sitio		
Feb. 14, 2023 8:45 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	LMO III Rhodora A. Garcia	SECTION 77, PD 705 as amended





FEB 15 2023

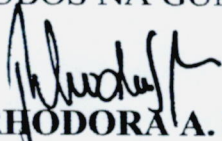
## UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUMPISKANG TATLUMPU'T ISANG (31) PIRASO NG RAIN TREE/ AKASYA NA KAHÖY NA IBA'T IBANG SUKAT AT MAY KABUUANG DAMI NA 217.67 BDFT. SA SO. KINTANGANG, BRGY. IRIRON, CALINTAAN, OCCIDENTAL MINDORO NOONG IKA-14 NG PEBRERO, 2023 SA GANAP NA ALAS 6: 23 NG GABI.

ANG NASABING KAHÖY AY DINALA SA MURTHA MONITORING STATION SA BRGY. MURTHA, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

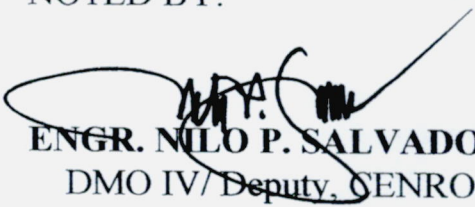
KUNG SINUMAN ANG NAGMAMAY-ARING NASABING CHAINSAW AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

  
**RHODORA A. GARCIA**  
LMO III

Seizure Officer/ Hearing Officer

NOTED BY:

  
**ENGR. NILO P. SALVADOR**  
DMO IV/ Deputy, CENRO  
In-Charge, Office of the CENRO





FEB 22 2023

## IKALAWANG PABATID SA PUBLIKO

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KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

**RHODORA A. GARCIA**

LMO III

Seizure Officer/ Hearing Officer

NOTED BY:

**ENGR. NILO P. SALVADOR**

DMO IV/ Deputy, CENRO  
In-Charge, Office of the CENRO





MAR 01 2023

## IKATLONG PABATID SA PUBLIKO

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In-Charge, Office of the CENRO